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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/040,560	03/18/1998	HIDEAKI SHINOTSUKA	SONY-8400	1970

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EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 05/21/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/040,560

Applicant(s)

SHINOTSUKA, HIDEAKI

Examiner

Hai Tran

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/26/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/28/03 has been entered.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph because the claim(s) contains subject matter which was unclear as defined in the specification in such a way as to enable one skilled in the art to understand the invention.

In claim 1, line 1 refers to a "transmission device" for transmitting an information signal.

Line 3, refers to "an information broadcasting device" for broadcasting a message to a network. It is unclear how a "transmission device" for transmitting an information signal to a network could comprise again "an information broadcasting device" for broadcasting a message to a network.

Line 4, refers to an "information receiver" for receiving a message broadcast to the network. It is unclear how the "transmission device" could comprise an "information receiver" to receive the message it has transmitted by the "transmission device".

Line 5 refers to an "event manager" for delivering the broadcast message within the "device" (apparently the device from line 1). It is unclear how the "transmission device" could comprise an "event manager" for delivering the broadcast message within the same "transmission device" in which the broadcast message has transmitted to the network.

Moreover, line 6 refers "an object can exchange a message with an unspecified destination without any discrimination between outside and inside the device by exchanging the message with event manager in a one-to-one communication". It is unclear how the exchange process of the "message" that has transmitted over the network could be done between an "object" and the "event manager". Furthermore, it is unclear how a broadcast "message" does not have any *specific address destination* as claimed "with an unspecified destination". Without any specific address destination, it is unclear how the devices connect to the network could communicate to each other.

In claim 2, line 2 refers to an "information transmitter" broadcasts each message... and holds the broadcast message, and transmits the message held in response to a transmission request.

It is unclear how the "transmission device" could comprise an "information transmitter" to broadcast messages that has transmitted by the "transmission device" as cited in claim 1. Furthermore, it is unclear how the "information transmitter" is able to

Art Unit: 2611

hold the message that has transmitted by the "transmission device" and able to transmit the message held that has transmitted by the "transmission device" in response to a transmission request.

In claim 7, line 1 refers to a "transmission device" for transmitting an information signal.

Line 3, refers to "an information broadcasting device" for broadcasting a message to a network. It is unclear how a "transmission device" for transmitting an information signal to a network could comprise again "an information broadcasting device" for broadcasting a message to a network.

Line 4, refers to an "information transmitter" for broadcasting each message... and for holding the broadcast message, and for transmitting the message held by the "information transmitter" in response to a transmission request.

It is unclear how the "transmission device" could comprise an "information transmitter" to broadcast messages that has transmitted by the "transmission device" as cited. Furthermore, the "information transmitter" is able to hold the message that has transmitted by the "transmission device" and able to transmit the message held in response to a transmission request.

Line 8, refers to an "information receiver" for receiving a message broadcast to the network. It is unclear how the "transmission device" could comprise an "information receiver" to receive the message it has transmitted by the "transmission device".

Art Unit: 2611

Line 9 refers to an "event manager" for delivering the broadcast message within the "device" (apparently the device from line 1). It is unclear how the "transmission device" could comprise an "event manager" for delivering the broadcast message within the same "transmission device" in which the broadcast message has transmitted to the network.

In claim 10, line 1 refers to a "transmission device" for transmitting an information signal.

Line 3, refers to "an information broadcasting device" for broadcasting a message to the network. It is unclear how a "transmission device" for transmitting an information signal to a network could further comprise "an information broadcasting device" for broadcasting a message to a network.

Line 4, refers to an "information receiver" for receiving a message broadcast to the network. It is unclear how the "transmission device" could comprise an "information receiver" to receive the message it has transmitted by the "transmission device".

Line 8 refers to an "event manager" for delivering the broadcast message within the "device" (apparently the device from line 1). It is unclear how the "transmission device" could comprise an "event manager" for delivering the broadcast message within the same "transmission device" in which the broadcast message has transmitted to the network.

The following art rejection is applied to applicant claims as best understood in view of the 112 2<sup>nd</sup> paragraph rejection above.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 7 and 10 are rejected under 35 U.S.C. 102(b) as being unpatentable by Tanaka et al. (US 5420573).

Regarding claims 1, 7, and 10, an information signal transmission device (Fig. 1, First and second AV devices) connected to a network C, for transmitting an information signal (function A-E and A'-E'), the device comprising:

Information broadcasting (Fig. 1, First AV device, element 9; Col. 2, lines 40-48) means for broadcasting a message (function A'-E') to the network C (Col.3, lines 32-39);

Information receiving (Fig. 1, 2nd AV device, element 16) means for receiving a message (function A'-E') broadcast to the network C (Col. 3, lines 38-40)

An event manager (Fig. 1, element 15; Col. 2, lines 60-65 and Col. 3, lines 40-42) for delivering the broadcast message within the device (AV device 2). It is inherent that data/message could exchange/deliver with components within the device.

Art Unit: 2611

**Contact Fax Information**

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or Faxed to:** (703) 872-9314

for informal or draft communications, please label "PROPOSED" or "DRAFT"


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is (703) 308-7372. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

  
**VIVEK SRIVASTAVA**  
**PATENT EXAMINER**

HT:ht  
05/16/2003